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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/654,313	09/03/2003	Robert M. Guidash	86321PCW	4417
7590	05/10/2010		EXAMINER	
Thomas H. Close Patent Legal Staff Eastman Kodak Company 343 State Street Rochester, NY 14650-2201			NGUYEN, LUONG TRUNG	
			ART UNIT	PAPER NUMBER
			2622	
			MAIL DATE	DELIVERY MODE
			05/10/2010	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/654,313	GUIDASH, ROBERT M.
	<b>Examiner</b>	<b>Art Unit</b>
	LUONG T. NGUYEN	2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 28 January 2010.
- 2a) This action is **FINAL**.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 8,17,18,21-23 and 25-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 25-34 is/are allowed.
- 6) Claim(s) 8,17,18 and 21-23 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ .  | 6) <input type="checkbox"/> Other: _____ .                        |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed on 01/28/2010 with respect to claims 8, 17, 18, 21-23 have been fully considered but they are not persuasive.

In re pages 6-7, Applicant argues that Morris and Tanaka are incompatible in that Morris teaches different integration times and Tanaka identical integration times. Therefore, Morris and Tanaka does not disclose "an integration time control line for each row of pixels, wherein each integration time control line is routed to a portion of the pixels in one row and to a portion of the pixels in an adjacent row" as recited in claims 8 and 17.

In response, noted that Morris discloses that the imager 140 independently sets the duration of the integration interval that is used by each group 113; due to this independent control of the integration durations, the exposure time of each different group 113 may be adjusted to accommodate the brightness of a different portion of the optical image (figure 5, column 3, lines 15-21). This indicates that the exposure time of each different group 113 may be the same; this shows that Morris and Tanaka are compatible since both teach identical integration times. Therefore, the Examiner still considers that Morris and Tanaka does disclose "an integration time control line for each row of pixels, wherein each integration time control line is routed to a portion of the pixels in one row and to a portion of the pixels in an adjacent row to provide an output signal values" as recited in claim 8. Morris discloses that the imager 140 independently sets the duration of the integration interval that is used by each group 113; due to this independent control of the integration durations, the exposure time of each different group

113 may be adjusted to accommodate the brightness of a different portion of the optical image (figure 5, column 3, lines 10-29; 55-62). And Takada et al. discloses a solid-state image pickup device, which includes an integration-time control line Lint for each row of pixels Gmm of the solid-state image pickup device; this also means that the integration-time control line Lint routes to the pixels in an adjacent row (figures 1, 4-6, column 12, lines 1-57).

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8, 17-18, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris et al. (US 6,665,010) in view of Takada et al. (US 6,831,691).

Regarding claims 8, 17, Morris et al. discloses a camera (digital camera 12, figure 1, column 1, lines 8-20) comprising:

an image sensor (digital imager 140, figure 5) comprising:  
a plurality of pixels arranged in an array of rows and columns (an array of pixel sensing unit 118, figure 5, column 3, lines 5-30);  
the output signal values having signals that are generated from pixels within at least two physically separate rows within the array (the signal values that are generated from the array of pixel sensing units 118 are transferred to output interface 128, figure 5, column 7, lines 9-31).

Noted that the signal values that are generated from the array of pixel sensing units 118 (plurality

of groups 113, each group 113 comprises of 2x2 pixel sensing units 118), which corresponds to the output signal values having signals that are generated from pixels within at least two physically separate rows within the array, are transferred to output interface 128, figure 5, column 7, lines 9-31.

Morris et al. fails to specifically disclose an integration time control line for each row of pixels, wherein each integration time control line is routed to a portion of the pixels in one row and to a portion of the pixels in an adjacent row to provide an output signal values. However, Morris discloses that the imager 140 independently sets the duration of the integration interval that is used by each group 113; due to this independent control of the integration durations, the exposure time of each different group 113 may be adjusted to accommodate the brightness of a different portion of the optical image (figure 5, column 3, lines 10-29; 55-62). And Takada et al. discloses a solid-state image pickup device, which includes an integration-time control line Lint for each row of pixels Gmm of the solid-state image pickup device; this also means that the integration-time control line Lint routes to the pixels in an adjacent row (figures 1, 4-6, column 12, lines 1-57).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Morris et al. by the teaching of Takada et al. to provide a solid-state image pickup device which has the advantage of providing high-quality still images even of moving objects with a simple structure (column 12, lines 54-57).

Regarding claims 18, 23, Morris et al. discloses:

memory (memory 263, figure 12, column 7, lines 37-49);

means for writing the output signal values into two row locations the memory for each row of pixels, wherein the output signal values are reconstructed in the memory (the signals that are readout from imager 140 are stored in memory 263, figure 12, column 7, lines 37-49).

4. Claims 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris et al. (US 6,665,010) in view of Takada et al. (US 6,831,691) further in view of Abe (US 6,747,698).

Regarding claim 21, Morris et al. discloses a color filter pattern (one group of pixels is associated with red color or green color, figure 5, column 3, lines 30-52) spanning at least a portion of the pixels, wherein the color filter pattern forms a plurality of color filter kernels (group of four pixels 113a, 113b, 113c, 113d, one group has red pixel color, another group has green pixel color, figure 5, column 3, lines 5-40) wherein the color filter kernels are arranged in at least two different uniformly distributed sets that are correlated with the color filter pattern (each group of pixels includes 2x2 pixels, figure 5, column 3, lines 5-40).

Morris et al. and Takada et al. fail to specifically disclose the plurality of color filter kernels having at least one color of every color in the color filter pattern in a predetermined arrangement with an identical pattern of colors in each color filter kernel. However, Abe teaches a digital camera 10 in which the color filter 13 is divided into a 2x2 pixel matrix M1, each pixel matrix M1 has the same plurality of colors R, G, B (figure 2, column 3, lines 51-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device in Morris et al. by the teaching of Abe in order to reduce the chromatic blur which occurs in a reproduced image because of the interpolating process (column 1, lines 40-43).

Regarding claim 22, Morris et al. discloses wherein the color filter pattern is a 2x2 kernel (group of four pixels, figure 5, column 3, lines 5-30).

***Allowable Subject Matter***

5. Claims 25-34 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The newly added independent claims 25 and 30 incorporate all the allowability subject matter of independent claims 1 and 9, respectively, as amended on 03/23/2009, and allowed on 06/09/2009. Therefore, claims 25 and 30 are allowed for the reasons indicated on 06/06/2009.

Claims 26-29 are allowed as being dependent from claim 25.

Claims 31-34 are allowed as being dependent from claim 30.

***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DAVID L. OMETZ can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LUONG T NGUYEN/  
Primary Examiner, Art Unit 2622  
05/08/10

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